



**Renee Ramirez**  
**Assistant Clerk - Recorder**

**Orange County**  
**Clerk-Recorder's Office**  
**12 Civic Center Plaza, Room 106, P.O. Box 238, Santa Ana, CA 92702**  
**web: [www.oc.ca.gov/recorder/](http://www.oc.ca.gov/recorder/)**  
**PHONE (714) 834-5284 FAX (714) 834-2500**

CITY OF NEWPORT BEACH  
3300 NEWPORT BEWPORT BEACH  
NEWPORT BEACH, CA 92685

RECEIVED BY  
COMMUNITY  
APR 16 2013  
DEVELOPMENT  
CITY OF NEWPORT BEACH

**Office of the Orange County Clerk-Recorder**  
**Memorandum**

**SUBJECT: NOTICE OF EXEMPTION**

The attached notice was received, filed and a copy was posted on 03/01/2013

**It remained posted for 30 (thirty) days.**

Renee Ramirez  
Assistant Clerk - Recorder  
In and for the County of Orange

By: ANGIE ORTIZ

Deputy

Public Resource Code 21092.3

The notice required pursuant to Sections 21080.4 and 21092 for an environmental impact report shall be posted in the office of the County Clerk of each county \*\*\* in which the project will be located and shall remain posted for a period of 30 days. The notice required pursuant to Section 21092 for a negative declaration shall be so posted for a period of 20 days, unless otherwise required by law to be posted for 30 days. The County Clerk shall post notices within 24 hours of receipt.

Public Resource Code 21152

All notices filed pursuant to this section shall be available for public inspection, and shall be posted **\*\*\* within 24 hours of receipt** in the office of the County Clerk. Each notice shall remain posted for a period of 30 days.

\*\*\* Thereafter, the clerk shall return the notice to the local lead agency \*\*\* within a notation of the period it was posted. The local lead agency shall retain the notice for not less than nine months.

Additions or changes by underline; deletions by \*\*\*



**CITY OF NEWPORT BEACH**  
3300 Newport Boulevard  
P.O. Box 1768  
Newport Beach, CA 92658-8915  
(949) 644-3200

# NOTICE OF EXEMPTION

<b>To:</b> <input type="checkbox"/> Office of Planning and Research P.O. BOX 3044 Sacramento, CA 95812-3044		<b>From:</b> City of Newport Beach Planning Department 3300 Newport Boulevard P.O. Box 1768 Newport Beach, CA 92658-8915	
<input type="checkbox"/> County Clerk, County of Orange Public Services Division Santa Ana, CA 92702		Date received for filing at OPR/County Clerk:	
<b>Project Title:</b>	Fig & Olive Minor Use Permit (PA 2012-163) Minor Use Permit No. UP2012-029		
<b>Project Location – Specific</b>	The project is located at 151 Newport Center Drive within the Fashion Island Regional Shopping Center in the North Newport Center Planned Community. Fashion Island is shown on Exhibit 1, North Newport Center Planned Community, attached hereto. A Vicinity Map with the project location is included as Exhibit 2 and attached hereto.		
<b>Project Location - City:</b>	Newport Beach	<b>Project Location – County</b>	Orange
<b>Project Description:</b>	<p>On February 28, 2013, the Zoning Administrator approved a minor use permit to allow a Type 47 (On Sale General) Alcoholic Beverage Control (ABC) license for Fig &amp; Olive, a food service, eating and drinking establishment with late hours (after 11:00 p.m.), live entertainment, and an outdoor dining patio.</p> <p>Also on February 28, 2013, the Zoning Administrator determined that the project is exempt from further environmental review consistent with the California Environmental Quality Act (CEQA) Guidelines under section 15301, Class 1 (Existing Facilities) that consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures and facilities involving negligible or no expansion of use beyond that existing. (California Code of Regulations, Title 14, Chapter 3, Article 19, Section 15301).</p>		

# POSTED

MAR 01 2013

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: Jo DEPUTY

Recorded in Official Records, Orange County  
Renee Ramirez, Assistant Clerk-Recorder



50.00

\* \$ R 0 0 0 5 6 4 4 6 3 8 \$ \*

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# FILED

MAR 01 2013

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: Jo DEPUTY

**Exempt Status:** (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Class 1 - Existing Facilities (Sec. 15301)
- ☐ Statutory Exemptions. State code number \_\_\_\_\_
- ☐ General Rule (Sec. 15061(b)(3))

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BY: \_\_\_\_\_  DEPUTY

**Reasons why project is exempt:** The City considered any potential environmental effects of the proposed project. Based on the Zoning Administrator review and all supporting materials provided, the Zoning Administrator determined that the project is exempt from further environmental review consistent with the Class 1 - Existing Facilities exemption under CEQA Guidelines section 15301. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures and facilities involving negligible or no expansion of use beyond that existing. The addition of alcoholic beverages at a recently constructed restaurant is consistent with Class 1 involving no expansion of use beyond that existing. The minor use permit will, therefore, have no significant environmental impact. The Zoning Administrator found the following to determine that the project is exempt from further CEQA review:

1. The minor use permit is consistent with the legislative intent of Title 20, Chapter 20.52 of the Newport Beach Municipal Code with regard to minor use permit regulations.
2. The granting of the permit will not adversely affect the health or safety of persons residing or working in the neighborhood of the property and will not be detrimental to the general welfare or injurious to property or improvements in the neighborhood.

**Project Applicant:** Irvine Company  
**Applicant Contact:** Bob Lisle  
**Applicant Address:** 101 Innovation  
Irvine, CA 92617-3040  
(949) 720-2279

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**Name of Public Agency Approving Project:** City of Newport Beach

**Date of Approval:** February 28, 2013

BY: \_\_\_\_\_  DEPUTY

**Name of Person or Agency Carrying Out Project:** City of Newport Beach

**Contact Person:** Makana Nova  **Title:** Assistant Planner **Tel. No.:** (949) 644-3249

**Signature:** \_\_\_\_\_

**Date:** 03/01/13

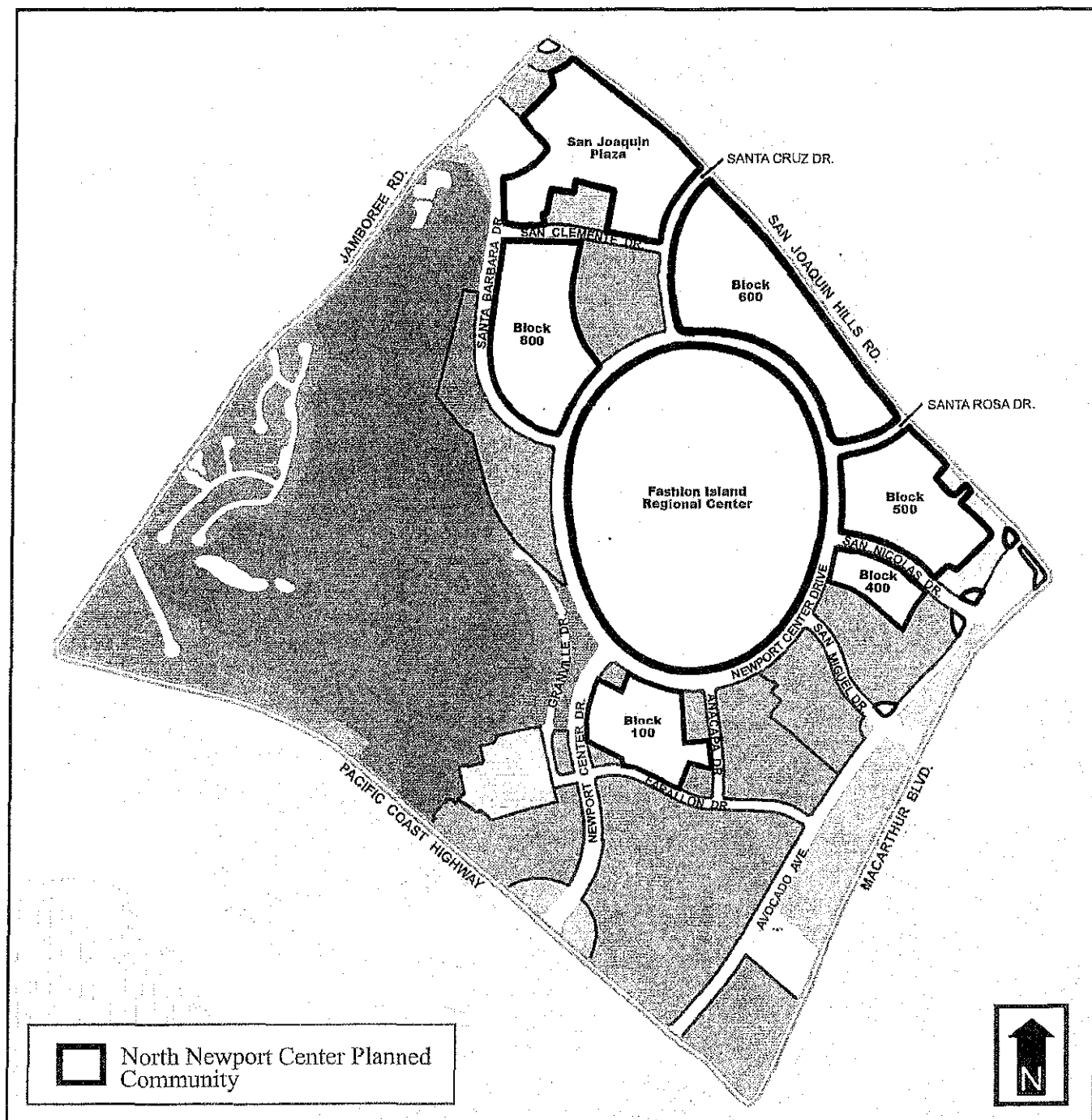


Exhibit 1 - North Newport Center Planned Community

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BY:                      DEPUTY

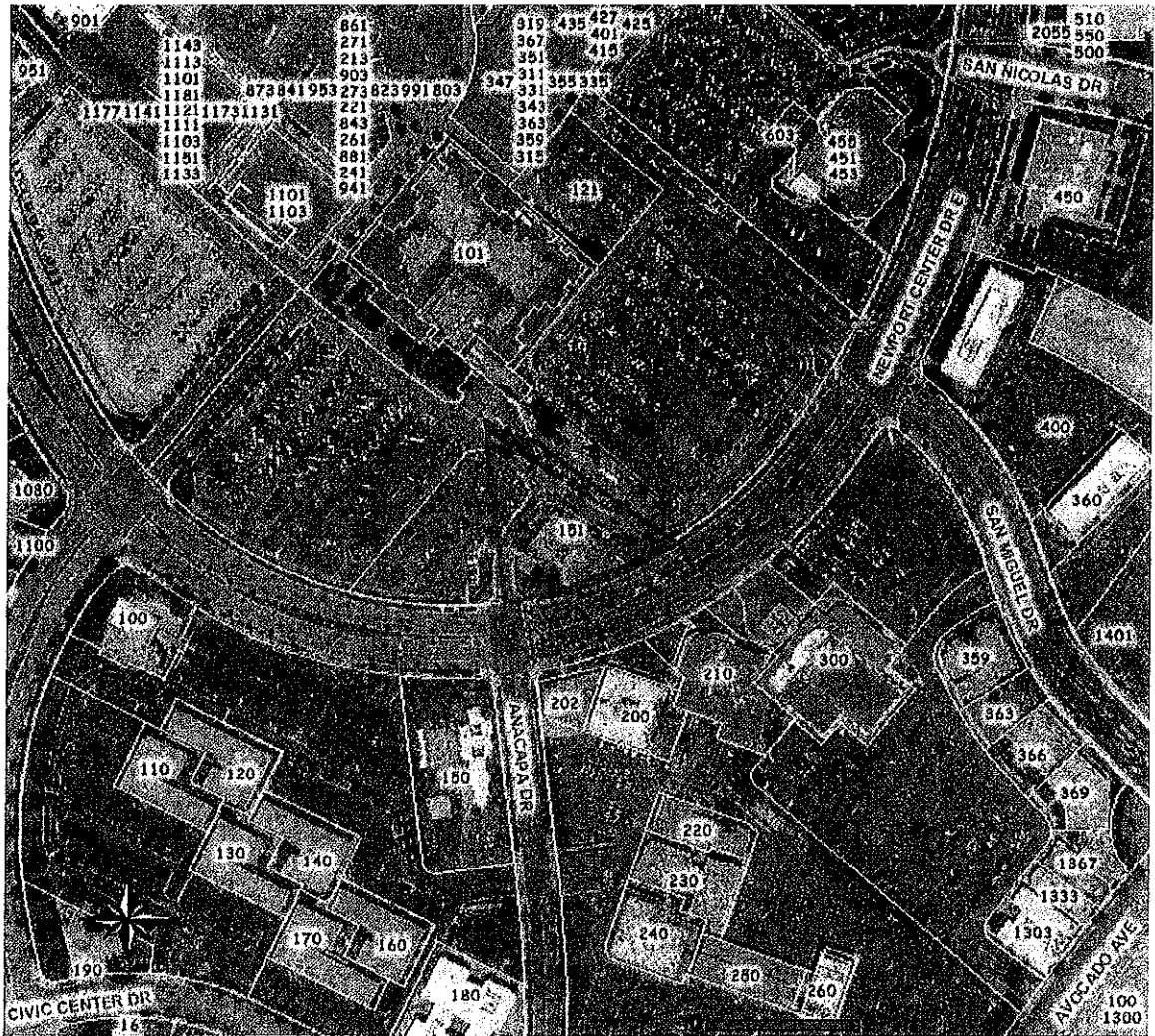
**POSTED**

**MAR 01 2013**

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BY:                      DEPUTY

# VICINITY MAP



Minor Use Permit No. UP2012-029  
PA2012-163

151 Newport Center Drive

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BY: [Signature] DEPUTY

Exhibit 2

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BY: [Signature] DEPUTY